IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

LP MATTHEWS, L.L.C.,)
Plaintiff,)
v.) C.A. No. 04-1507 (SLR)) Honorable Sue L. Robinson
BATH & BODY WORKS, INC., and) JURY TRIAL DEMANDED)
LIMITED BRANDS, INC., and))
KAO BRANDS CO. (f/k/a THE ANDREW)
JERGENS COMPANY), and))
KAO CORPORATION,)
)
Defendants.)

DEFENDANTS BATH & BODY WORKS, INC. AND LIMITED BRANDS, INC.'S MOTION FOR SUMMARY JUDGMENT FOR LACK OF STANDING

Defendants Bath & Body Works, Inc. and Limited Brands, Inc. (collectively referred to as the "Limited Defendants") hereby move for summary judgment against plaintiff LP Mathews L.L.C., for lack of standing for the reasons set forth in the Opening Brief and Declaration filed in support of the motion.

FOX ROTHSCHILD LLP

Dated: July 3, 2006 By: /s/ Francis G.X. Pileggi

Francis G.X. Pileggi (Del. Bar No. 2624) Sheldon K. Rennie (Del. Bar No. 3772)

Fox Rothschild, LLP

Suite 1300

919 North Market Street Wilmington, Delaware 19801

Phone: (302) 655-3667 Fax: (302) 656-8920

E-mail: fpileggi@foxrothschild.com E-mail: srennie@foxrothschild.com

OF COUNSEL:

John F. Ward
David M. Hill
Michael J. Zinna
WARD & OLIVO
708 Third Avenue
New York, New York 10017
Phone: (212) 697-6262

Fax: (212) 972-5866

E-mail: wardj@wardolivo.com E-mail: hilld@wardolivo.com E-mail: zinnam@wardolivo.com

Attorneys for Defendants Bath & Body Works, Inc. Limited Brands, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2006, I electronically filed the foregoing with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Richard L. Horwitz, Esquire David Moore, Esquire Potter Anderson & Corroon LLP Hercules Plaza, 6th Floor 1313 North Market Street Wilmington, DE 19801

Arthur I. Neustadt, Esquire Richard Chinn, Esquire Oblon, Spivak, McClelland, Maier & Neustadt, P.C. 1940 Duke Street Alexandria, VA 22314

Ronald J. Schutz Robins, Kaplan, Miller & Ciresi LLP 2800 LaSalle Plaza 800 LaSalle Avenue Minneapolis, MN 54402

Steven J. Balick, Esquire John G. Day, Esquire Ashby & Geddes 222 Delaware Avenue Wilmington, DE 19801

Robert A. Auchter, Esquire Jason R. Buratti, Esquire Robins, Kaplan, Miller & Ciresi LLP 1801 K Street, NW Washington, D.C. 20006

FOX ROTHSCHILD LLP

By: /s/ Francis G.X. Pileggi Francis G.X. Pileggi (Del. Bar No. 2624) Sheldon K. Rennie (Del. Bar No. 3772) Fox Rothschild, LLP **Suite 1300** 919 North Market Street Wilmington, Delaware 19801 Phone: (302) 655-3667 Fax: (302) 656-8920

E-mail: fpileggi@foxrothschild.com E-mail: srennie@foxrothschild.com

Attorney for Defendants Bath & Body Works, Inc. Limited Brands, Inc.